

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN ARNIE MOHL**, on March 15, 2001 at 3:15 P.M., in Room 317-C Capitol.

ROLL CALL

Members Present:

Sen. Arnie Mohl, Chairman (R)
Sen. Ric Holden, Vice Chairman (R)
Sen. Dale Berry (R)
Sen. Vicki Cocchiarella (D)
Sen. Bob DePratu (R)
Sen. Dan Harrington (D)
Sen. Sam Kitzenberg (R)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Glenn Roush (D)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Marion Mood, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 403, 3/1/2001;
HB 442, 3/1/2001;
HB 461, 3/1/2001;
HB 502, 3/1/2001

Executive Action: HB 461; HB 502

HEARING ON HB 403

Sponsor: REP. KIM GILLAN, HD 11, BILLINGS

Proponents: McKenzie Bloom, Lone Rock School
Jerika Ward, Lone Rock School
Lina Miller, Lone Rock School
Sherry Wendler, Lone Rock School
Josh Rokosh, Lone Rock School
Emma Laughlin, Lone Rock School
Kevin Lechner, Lone Rock School
Tanner Roth, Lone Rock School
SEN. FRED THOMAS, SD 31, Stevensville
Betsy Purcell, teacher, Lone Rock School
Brenda Nordlund, DOJ
Wally Melcher, self
Steve Yeakel, MT Council for Maternal & Child
Health
Tom Harrison, AAA Mountain West
Rick Chiotti, OPI
Aimee Grmoljez, Anheuser-Busch
Kristi Blazer, MT Beer & Wine Wholesalers
Sami Butler, MT Nurses Association
Greg Van Horssen, State Farm Insurance
Jim McGrane, Driver's Ed. Teacher
Tom Daubert, MT Traffic Education Association

Opponents: Steve White, MT Coalition of Home Educators
Trevis Butcher, self
Katie Butcher, self
Kemela Finucane, self
Russ Wahl, MT Coalition of Home Educators
Maraija Finucane, self
Becky Butcher, self

Opening Statement by Sponsor:

REP. KIM GILLAN, HD 11, BILLINGS, opened by saying that HB 403 established a graduated drivers licensing system, and deferred to SEN. FRED THOMAS who was one of four legislators collaborating on drafting this bill.

SEN. FRED THOMAS, SD 31, STEVENSVILLE, related statistics regarding teen accident rates, and stated that the fatality rate in Montana is much higher than the national average, pointing to 39 fatalities of teens aged 15 to 19 years in 1999. This age bracket accounts for only 10% of Montana's licensed drivers, and

yet they are involved in 23% of fatal crashes. Nationally, the percentages are 7% and 14%, respectively. He stressed that two thirds of teen fatalities occur in vehicles driven by teens, and 43% happen between the hours of 9 p.m. and 6 a.m. He informed the committee that 26 states have implemented a staggered licensing program such as this because they feel that it is better and safer to teach teens the responsibility of driving gradually. Under the provisions of this bill, a young person is required to have six months of supervised driving experience before a driver's license is issued. The restrictions in Section (1) apply to drivers for one year after they obtain their license, or until they are 18 years old, whichever comes first. He went on to list the restrictions applying to these first 12 months of driving, and the consequences of violation. He closed by saying that this bill was designed to work with the driver's education program taught in schools.

Proponents' Testimony:

Note: Students from the Lone Rock School had prepared an exhibit of mounted graphs and made their presentation in pairs.

McKenzie Bloom and **Jerika Ward** felt that the restrictions in HB 403 would help prohibit teen fatalities by keeping teens from taking unnecessary risks. **McKenzie Bloom** told the committee how his class had come up with similar ideas and had presented them to local legislators two years ago. They stressed that having an unrestricted driver's license at the age of 15 was too early, citing a number of accident statistics.

Lina Miller and **Sherry Wendler** submitted **EXHIBIT(his59a01)**, a graph showing driver age and fatality rate in all 50 states, with Montana having the highest incidence. **Lina Miller** went on to say that in this state, after having taken driver's education, a 14 ½ year old can obtain a learner's permit, and then an unrestricted driver's license at 15. After passing written and road tests, a 16 year old can apply for an unrestricted license without having had driver's education. This policy might make it easier on parents because they do not have to ferry their teenagers to and from school or related activities, but it also claims a high number of teen's lives. **Shery Wendler** talked about the restrictions under HB 403, making it possible for young drivers to gain driving experience, thus minimizing the risks inherent in driving.

Josh Rokosh and **Emma Laughlin** also related teen driving statistics, using the graphs in their presentation. **Josh Rokosh** told how daytime crashes dropped by at least 5% and by 10% for night time crashes in the states that adopted a graduated licensing program. **Emma Laughlin** repeated that their class had

come up with very similar ideas to those in HB 403, and favored this program. **Josh Rokosh** stated that teens under the age of 16 have the highest traffic fatality rate.

Kevin Lechner and **Tanner Roth** also presented their class action plan. **Kevin Lechner** stated that if they could not get the government's support, they would start a petition drive to show how many people stood in favor of a graduated licensing program. **Tanner Roth** explained their graph, showing traffic deaths decreasing after some states adopted this program.

SEN. FRED THOMAS stated that these students' proposal was actually tougher than that in HB 403, and introduced their teacher, **Betsy Purcell**.

Betsy Purcell, teacher, Lone Rock School, told the committee that this program came about through Project Citizen, in conjunction with the National Council of State Legislators which aims to teach young adults that they do have a voice and can solve problems.

Brenda Nordlund, DOJ, handed out **EXHIBIT(his59a02)**, a graph showing how students chronologically progress to their driving privileges under the provisions of HB 403. She referred to the changes in Section (3), creating a six month holding period, regardless of the driver's age. This section also deals with requirements should the student not be able to participate in driver's education.

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She submitted **EXHIBIT(his59a03)**, consisting of an instructor's permit, allowing only the instructor to drive with a student in the traffic education course; a TELL (Traffic Education Learner's License) permit, to be used by the student with either their instructor or a licensed parent/guardian; and the instruction permit, issued when a parent wants to allow the child to drive after having concluded driver's education, but before they obtain their regular license. She referred to Section (1) of the bill, dealing with the 12 months of restriction which follow issuance of the license, and listed some of the exceptions with regards to driving to and from places of employment, school-sponsored events, emergencies and farm-related activities within a 100-mile radius. Violations are deemed misdemeanor offenses, with the maximum fine being \$500, as set forth in Section (2). She stated that this was a moderate proposal, compared to that of other states, and it was tailored to Montana needs.

Wally Melcher, self, welcomed the provisions of HB 403, and told the committee that he had gone through a graduated licensing

program in Idaho, obtaining his license at 14 and being able to only drive between dawn and sunset.

Steve Yeakel, MT Council for Maternal & Child Health, submitted **EXHIBIT(his59a04)** and told how his organization is approached by many who ask for such a program in order to prevent needless teen deaths and crippling injuries. He also felt that having this become law would help parents in dealing with their teenagers.

Tom Harrison, AAA Mountain West, expanded on the statistics offered by **SEN. THOMAS**, namely that 23% of fatalities occur in a group that holds 10% of all driver's licenses.

Rick Chiotti, OPI, stood in support of HB 403 and passed out written testimony, **EXHIBIT(his59a05)**, which he had given before the House Transportation Committee. He also introduced **David Huff, OPI**, who was available to answer any questions.

Aimee Grmoljez, Anheuser-Busch, submitted written testimony **EXHIBIT(his59a06)**, along with a brochure published by her organization.

Kristi Blazer, MT Beer and Wine Wholesalers Association, stated that her clients' platform was to promote moderate consumption of their products, disallow access to those products by minors, and promote safety on our highways, a program similar to that of Anheuser-Busch. She felt that a graduated licensing program achieved these goals by including zero tolerance for alcohol consumption by teen drives and imposing stiff penalties for violations, and she agreed with the inherent dangers of driving between the hours of midnight and 5 a.m.

Sami Butler, RN, Exec. Dir., MT Nurses Association, informed the committee that at their October 2000 convention, her organization agreed to support this concept of legislation out of concern for young people's health and lives. She repeated the statistics from states which have implemented programs like this, and urged support for HB 403.

Greg Van Horssen, State Farm Insurance, and also representing **Jacqueline Lenmark, American Insurance Assn.**, and **Jon Metropoulos, Farmer's Insurance**, stood in support of HB 403.

Jim McGrane, teacher, driver's education program, maintained that the schools' traffic education program does an outstanding job of teaching young people to be responsible drivers. He had always felt though, that additional time was needed by these new drivers

to hone their skills, and this need was being filled by the graduated licensing program which HB 403 proposes.

Tom Daubert, MT Traffic Education Association, stood in support of HB 403, agreeing with previous testimony.

Opponents' Testimony:

Steve White, self, MT Coalition of Home Educators, referred to a similar bill, HB 606 of the previous session, which failed, and the objections voiced by the coalition during the House committee hearing because of its inherent problems. He disagreed with the clear advantage given to teens who were able to go through the driver's education program, in terms of the driving age. He also felt HB 403 discriminated against kids who were home schooled because some districts only allow students of public schools to participate, and quoted from the Montana Constitution with regards to the equal protection clause. He felt that especially teens in rural areas would be at a disadvantage.

Trevis Butcher, self, stated that he understood why this bill was brought forward, namely because there was irresponsibility on the part of some young drivers, and he also felt that some parents do not take serious their responsibility of instilling safe driving habits. He found some of the restriction in the bill alarming, such as the number of young people allowed in a car driven by a teen. He said that many parents ask that their teen double date because of safety and accountability issues, and with this bill, they could not do that. Moreover, he felt that many rural families can only afford to have their children enrolled in sports programs because other teens drive and can give them rides, and this would also be eliminated. HB 403 would also force kids to take driver's education or miss out on being able to participate in programs which their urban counterparts can whether or not they have driver's licenses. He closed by saying that it is assumed driver's education is the cure for poor drivers; however, good drivers are not produced by the few hours of driving given in these courses. Instead, they are developed by driving hundreds of hours under the supervision of their parents. He also advocated stiffer penalties for first time offenders.**EXHIBIT(his59a12)**

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Katie Butcher, self, read her written testimony
EXHIBIT(his59a07).

Kemela Finucane, self, agreed with **Trevis Butcher's** testimony.

Russ Wahl, MT Coalition of Home Education, read his written testimony **EXHIBIT(his59a08)**.

Maraija Finucane, self, also stood in opposition of HB 403, for the aforementioned reasons.

Becky Stockton, told the committee that she was the mother of two very responsible teenagers. Her now 15 year old son has had a newspaper route since he was 12, walking while delivering papers. When he gets his drivers license, he wants to add another publication and use his car, but with the restrictions in HB 403, he will not be able to do that unless he has a licensed adult with him. She felt that these kinds of laws keep our children from learning to be responsible. She wondered if he would be stopped every time he was making deliveries before 5 a.m., and closed by saying that this would keep teens from having jobs.

Russ Wahl submitted **EXHIBIT(his59a09)** and **EXHIBIT(his59a10)** at this point, testimony from people who could not be present.

Questions from Committee Members and Responses:

SEN. DAN HARRINGTON pointed to the difference between teens with driver's education and those who cannot enroll as far as the legal driving age, and asked about funding for the school program since the cost is prohibitive to some parents. **SEN. THOMAS** admitted that in the past, traffic education programs were part of the curriculum, but now students have to pay for it themselves, with the cost being anywhere from \$125 to over \$200. He added that in his opinion, there was only one school district in the state that did not allow home schooled students into the driver's education program.

SEN. HARRINGTON was still bothered by the fact that students who could afford driver's education were able to get their driver's licenses earlier. He felt it was unfair that the state passes a law but does not provide the means. **SEN. THOMAS** said that this bill does not require driver's education, it was the teens' choice; what the bill did was to put restrictions on the first 12 months of driving. **SEN. HARRINGTON** wondered what the co-sponsor's feelings were on the restriction regarding the number of kids in the car. **SEN. THOMAS** replied that bill allows up to two unrelated persons; he was unsure what the number should be. The idea was to bring down the number of kids just cruising.

SEN. HARRINGTON asked the driver's education administrator, **David Huff**, whether there would be some cost involved in setting up this program. **David Huff, OPI**, explained that the fiscal note shows the expense to the DOJ, it did not involve the traffic

education program whose main role should be that of information disseminator so that students and parents know the parameters of this bill.

SEN. HARRINGTON wondered if there would be a cutback of civilian testers in the program. **Brenda Nordlund** replied that the cost resulted from the programming of action codes pertaining to violation of these new restrictions, giving the DOJ easy access to prior offenses. **SEN. HARRINGTON** asked whether issuance of a license after the 12 month restriction period was automatic.

Brenda Nordlund explained that after the 6 month "holding period", the teens were issued a regular plastic driver's license without any notations on it. All licenses are marked with an issue date, and an officer has to know that this is a restricted license for 12 months from the issue date, if the driver is under 18 so there would not another trip to the DMV involved.

SEN. GLENN ROUSH referred to testimony from rural communities, and asked if a better solution to this problem could be found.

SEN. THOMAS answered that according to language on page 3, line 8, a thirteen year old could obtain a restricted license under special hardship provisions. **SEN. ROUSH** repeated his question to the sponsor.

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REP. GILLAN replied that currently, 78% of students participate in a driver's education program, and that number had to include students in rural areas. She repeated the restrictions for the first year of driving, and the exemptions with regards to school events and such, saying that the bill was tailored to Montana needs. **SEN. ROUSH** asked about the House Transportation Committee's concerns with the issue of penalties and fines in this bill. **REP. GILLAN** remarked that she could not remember a discussion regarding this, but that two members of the judiciary committee had approached her about advertising this program.

SEN. DALE BERRY asked of the students who had given the presentation if there was a record of a reduction in miles driven by teens. **Josh Rokosh** admitted he did not know. **SEN. THOMAS** did not think there would be a marked reduction because of the restrictions placed on young drivers, except during the hours of midnight and 5 a.m.

SEN. BOB DEPRATU addressed the issue of home schooled and rural students and wondered if a home educator could be authorized to teach driver's education as well, so these teens would not be disadvantaged. **REP. GILLAN** referred the question to **SEN. THOMAS**, who explained that according to OPI, there is only one school district which will not work with home schooled students. He

added that the home educators organization could certify parents, enabling them to teach driver's education.

SEN. VICKI COCCHIARELLA asked **McKenzie Bloom** about the statistic of fatalities in rural areas. **McKenzie** repeated that two thirds of fatal accidents occur in rural areas. **SEN. COCCHIARELLA** wondered if there was a discussion regarding the agricultural exemptions in this bill. **McKenzie** answered they had talked about that, but their main concern was with highway driving.

SEN. COCCHIARELLA asserted that she liked the concept of HB 403 but felt it discriminated against poor families who cannot afford the cost of driver's education or whose parents cannot commit to spending the necessary time in the car with them. **REP. GILLAN** answered that this bill did not change the statute with regards to students who do not take driver's training. The only new proposals are the 6 month learning permit and the 12 month restrictions placed on a new license. **SEN. COCCHIARELLA** asked whether the night time driving restrictions would not prohibit teens from having certain jobs, such as paper routes or dishwashing. **REP. GILLAN** replied this was not their intention. They had thought that most activities like swim practice or early morning jobs commenced between 5 a.m. and 5:30 a.m. **SEN. COCCHIARELLA** opposed some of the exemptions, pointing to the statistics for rural areas. She felt the bill did not accomplish keeping our teens safe by allowing these exemptions. **REP. GILLAN** felt that HB 403 reflected the realities of life in Montana, and did not favor rural settings.

SEN. JERRY O'NEIL wondered what time frame the students' graphs reflected. **SEN. THOMAS** thought it was 1999. **SEN. O'NEIL** asked if it was true for Montana that fatality rates had declined since 1990 with the implementation of DUI laws. **SEN. THOMAS** explained that these graphs were designed around driver age brackets, not the general driving population. He referred the question to **Al Goke, DMV**, who had signed in for informational testimony. **Al Goke** submitted **EXHIBIT(his59a11)**, showing fatal crashes in all categories from 1995 through 2000. **SEN. O'NEIL** inquired, with regards to the two thirds of accidents occurring in rural areas, whether they were caused by teens living in the rural areas or by city kids driving in the country. **Al Goke** said that crashes are fairly evenly split between urban and rural teens, and pointed out that 75% of crashes occur within 25 miles of home.

VICE CHAIRMAN RIC HOLDEN wondered about the practicality of officers pulling over a car full of teens and determining if they are related or not, given the restrictions. **Brenda Nordlund** informed him that most of this enforcement will be done by local

officers, rather than by the highway patrol, and those officers tend to know the kids. She pointed out, too, that they pursue errant behavior more than making this their utmost priority.

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VICE CHAIRMAN HOLDEN asked if it was a violation if there were several teens in a vehicle, referring to an agricultural setting.

Brenda Nordlund said it was if the driver was a teen within the 12 month restrictions. **VICE CHAIRMAN HOLDEN** feared that young people would not be able to go hunting with the midnight to 5 a.m. restriction. **Brenda Nordlund** said she had never before heard of a hunter exemptions, but yes, if there was not a licensed driver with the young hunter, this could be true.

VICE CHAIRMAN HOLDEN wondered how this bill would affect premiums, and asked if State Farm Insurance would also increase parents' premiums if their teen had been fined. **Greg Van Horssen** said that premiums are set by the magnitude of paid claims with regards to a particular class of drivers, and young drivers have more accidents and more severe accidents. He believed, though, that if this bill had the intended effect, namely to educate young drivers in order to lower the number and severity of accidents, a reduction in premiums for this age group could be anticipated. **VICE CHAIRMAN HOLDEN** asked again if State Farm would increase premiums due to teens' tickets. **Greg Van Horssen** said State Farm would consider the driving records but could not say what effect this would have on the parents' premiums. **VICE CHAIRMAN HOLDEN** wanted clarification whether State Farm would take the driving record into consideration. **Greg Van Horssen** replied that all insurance companies take this into consideration, but he was not sure whether they would increase premiums.

SEN. HARRINGTON asked if State Farm gave a rate reduction to students who had taken driver's training. **Greg Van Horssen** replied that they did.

Closing by Sponsor:

SEN. THOMAS closed for **REP. GILLAN**, and offered to have an amendment prepared by OPI, dealing with home schooled students.

HEARING ON HB 442

Sponsor: **REP. JOEY JAYNE, HD 73, ARLEE**

Proponents: **NONE**

Opponents: NONE

Opening Statement by Sponsor:

REP. JOEY JAYNE, HD 73, ARLEE, opened on HB 442, calling it the "Keep Montana Beautiful Bill" because it improves Montana's littering law. She addressed the rising costs of clean-up, and stated that many private groups have taken it upon themselves to keep roadsides free of litter. She told the committee that she had added plastics to the list of items, and the clause that nothing likely to cause injury or damage may be placed on the highway. She pointed to page 1, line 25, dealing with plastic containers containing feces or urine, and the fines for this offense being increased to \$1,000.

Questions from Committee Members and Responses:

VICE CHAIRMAN HOLDEN asked if soiled diapers were included under "plastic containers" and felt a \$1,000 fine was quite high. **REP. JAYNE** felt that diapers did not fall under this provision; it was mainly added because there were container problems with some truck drivers. **VICE CHAIRMAN HOLDEN** welcomed the concept of the bill but still felt that the fines overall were too high. He cited the possibility of bags and such blowing or falling out of a pickup truck accidentally, and agreed with a \$50 fine but thought \$250 was too much. **REP. JAYNE** agreed but said that officers are able to determine if this activity was intentional or accidental.

SEN. GERALD PEASE inquired about the discrepancy in fines listed in the bill, as on page 1, line 27, and page 2, line 7, and he wondered if the order should not be reversed, especially in light of last year's forest fires. **REP. JAYNE** asked if he meant that the fine for discarding lit matches should be \$1,000 and the contaminated plastic containers should be less. **SEN. PEASE** answered that these fines just did not compare. **REP. JAYNE** explained that the fines were set in that way because there had been an increase of Hepatitis C among people cleaning up litter alongside the highways.

SEN. BOB DEPRATU confirmed **REP. JAYNE'S** statement concerning hepatitis, and said in his opinion, there is no excuse for littering.

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SEN. O'NEIL asked how many cases of hepatitis were attributed to highway clean-up. **REP. JAYNE** did not have that information. **CHAIRMAN ARNIE MOHL** asked the sponsor to request a fiscal note

for HB 442. He felt there would be costs involved in making and posting new signs.

SEN. ROUSH asked **Brenda Nordlund** for the basis of the fines, and how many littering fines are actually imposed. **Brenda Nordlund** admitted she did not know why the fines were changed. She said she would check into their conviction report and see how many were for littering offenses, and she would provide that information if it existed.

Closing by Sponsor:

REP. JAYNE closed on HB 442.

HEARING ON HB 461

Sponsor: **REP. JIM SHOCKLEY, HD 61, VICTOR**

Proponents: **Jim Jacobson, Montana Veterans' Affairs**
C. Hal Manson, American Legion
Brenda Nordlund, DOJ

Opponents: **None**

Opening Statement by Sponsor:

REP. JIM SHOCKLEY, HD 61, VICTOR, opened by saying that HB 461 would allow active members of the military to purchase veterans' license plates.

Proponents' Testimony:

Jim Jacobson, Montana Veterans' Affairs, stood in support of HB 461, saying that all military personnel should be able to show their pride of service, not just veterans. He also mentioned the portion of the bill that allocated \$10 from the registration fee to support the veterans' cemetery program in Montana.

C. Hal Manson, American Legion, also rose in support of HB 461.

Brenda Nordlund, DOJ introduced an amendment prepared by the department **EXHIBIT(his59a13)**. She assured the committee it did not change any part of HB 461; its purpose was to remove the commanding officer from having to certify the qualification of his personnel, and establishing that a DD-2 driver's license is the only proof required.

Closing by Sponsor:

REP. SHOCKLEY closed on HB 461.

EXECUTIVE ACTION ON HB 461

Motion/Vote: SEN. HARRINGTON moved that **AMENDMENT TO HB 461 BE ADOPTED**. Motion carried 10-0.

Motion/Vote: SEN. HARRINGTON moved that **HB 461 BE CONCURRED IN AS AMENDED**. Motion carried 10-0. SEN. DAN HARRINGTON agreed to carry HB 461 on the floor.

HEARING ON HB 502

Sponsor: REP. ROBERT STORY, HD 24, PARK CITY

Proponents: NONE

Opponents: NONE

Opening Statement by Sponsor:

REP. ROBERT STORY, HD 24, PARK CITY, opened by saying that HB 502 exempts hay grinders and their towing units from certain weight standards. He informed the committee that mostly in the spring when the road restrictions are imposed, these agricultural vehicles are often marginal regarding their weight which creates a problem at the scales. If they are prohibited from moving, the ground hay for feeding livestock cannot be delivered. He suggested the committee amend the bill to remove Section (2). He explained that the trucks could go with wider tires, but then would run into problems off-road, and it would change the weight to where they had to get a commercial license; this, in turn, would affect the hours they could work, and he assured the committee that in its amended form, the bill would work as intended.

Questions from Committee Members and Responses:

SEN. O'NEIL asked if there was an upper limit to the exemptions. REP. STORY said there was not. VICE CHAIRMAN HOLDEN wanted to make sure that the sponsor wanted to strike Section (2) in its entirety. REP. STORY confirmed that and explained that it dealt

with farm equipment in a fifty-mile radius and would not work for these trucks.

SEN. COCCHIARELLA wondered if the department supported these amendments. **REP. STORY** replied that the House drafter added Section (2), and the department felt this would not work, but due to time constraints, he introduced the bill in its original form.

Closing by Sponsor:

REP. STORY closed on HB 502.

EXECUTIVE ACTION ON HB 502

Motion: **SEN. DEPRATU** moved that **HB 502 BE CONCURRED IN**.

Substitute Motion/Vote: **SEN. HOLDEN** made a substitute motion that **AMENDMENT TO STRIKE SECTION (2) BE ADOPTED**. Substitute motion carried 9-0.

Vote: Motion that **HB 502 BE CONCURRED IN AS AMENDED** carried 9-0. **SEN. HOLDEN** agreed to carry HB 502 on the Senate floor.

Note: Amendment #HB050201.adb, **EXHIBIT(his59a14)**, was submitted to the secretary on March 16, 2001.

ADJOURNMENT

Adjournment: 6:00 P.M.

SEN. ARNIE MOHL, Chairman

MARION MOOD, Secretary

AM/MM

EXHIBIT (his59aad)